



**ALICARE, INC.**  
Third Party Administrators

*An Affiliate of Amalgamated Life*

September 13, 2012

**VIA FACSIMILE (914) 390-4152**

Honorable Kenneth M. Karas  
United States District Judge  
Southern District of New York  
United States Courthouse  
300 Quarropas Street  
White Plains, New York 10601-4150

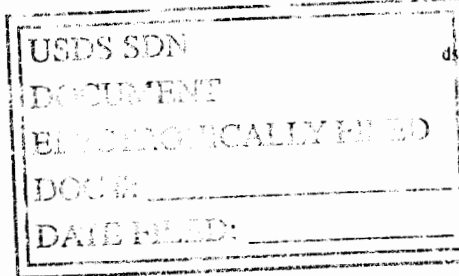
**MEMO ENDORSEMENT**

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Re: Trustees of the UNITE HERE National Retirement Fund -v.- Greenwich Triangle, LLC f/k/a Southwick Clothing LLC - 09-CV-04962(KMK)

Re: Trustees of the Amalgamated National Health Fund, et al. -v.- Greenwich Triangle, LLC f/k/a Southwick Clothing LLC -- 10-CV-04945 (KMK)

Dear Judge Karas:

We are counsel for the Trustees of the Amalgamated National Health Fund and the Trustees of the National Retirement Fund, plaintiffs in the above-referenced actions. Joined by Paul Galligan, Esq. of Seyfarth Shaw, attorneys for defendant Greenwich Triangle LLC f/k/a Southwick Clothing LLC, the parties are writing to request that the Court extend the deadline established in the April 23, 2012 Order, as amended, for restoring the above actions to your Honor's active calendar to October 16, 2012. We make this request for the following reasons.

As we previously advised the Court, the parties had agreed to the terms of a settlement at the April 18, 2012 settlement conference before Magistrate Judge Paul E. Davison and, on April 23, 2012, plaintiffs' counsel sent draft settlement documents to Mr. Galligan. Thereafter, certain substantive issues arose which the parties have actively sought to resolve before concluding a final settlement of the action. Resolution of those issues has involved reviewing certain payroll and benefit fund contribution data to ensure that a final settlement resolves all outstanding liabilities of defendant. The parties are continuing to review additional data and to discuss the remaining issues so as to conclude a final settlement. The parties will require additional time to conclude their review and the settlement discussions.


*we work for working people*

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In light of the foregoing, the parties respectfully request an extension to and including October 16, 2012 to restore the actions to your Honor's calendar in the event that a settlement is not concluded by that date. *N*

The Court's considerations are greatly appreciated.

Respectfully submitted,



David C. Sapp (DS5781)

cc (via facsimile);  
(via e-mail):

United States Magistrate Judge Paul F. Davison  
Paul Galligan, Esq.

*Granted.*

*So ordered.*

  
*10/2/12*